

reported the resolution within 20 calendar days after the resolution's introduction, provisions permitting a motion to discharge to be made only by an individual favoring the resolution and limiting debate to 1 hour, and provisions prohibiting a renewal of a motion to discharge where the original motion was agreed to or disagreed to or the making of another motion with respect to a resolution from the same reorganization plan.

1971—Subsec. (a). Pub. L. 92-179 substituted “20 calendar days” for “10 calendar days”.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 908, 909, 912 of this title; title 22 section 2587.

### § 912. Procedure after report or discharge of committee; debate; vote on final passage

(a) When the committee has reported, or has been deemed to be discharged (under section 911) from further consideration of, a resolution with respect to a reorganization plan, it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the resolution. The motion is highly privileged and is not debatable. The motion shall not be subject to amendment, or to a motion to postpone, or a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the resolution shall remain the unfinished business of the respective House until disposed of.

(b) Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than ten hours, which shall be divided equally between individuals favoring and individuals opposing the resolution. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order. A motion to reconsider the vote by which the resolution is passed or rejected shall not be in order.

(c) Immediately following the conclusion of the debate on the resolution with respect to a reorganization plan, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

(d) Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution with respect to a reorganization plan shall be decided without debate.

(e) If, prior to the passage by one House of a resolution of that House, that House receives a resolution with respect to the same reorganization plan from the other House, then—

(1) the procedure in that House shall be the same as if no resolution had been received from the other House; but

(2) the vote on final passage shall be on the resolution of the other House.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 398; Pub. L. 95-17, § 2, Apr. 6, 1977, 91 Stat. 34; Pub. L. 98-614, § 3(d), (e)(1), (2), Nov. 8, 1984, 98 Stat. 3193.)

#### HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 133z-14.	June 20, 1949, ch. 226, § 205, 63 Stat. 207.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

#### AMENDMENTS

1984—Pub. L. 98-614, § 3(e)(2), substituted “passage” for “disapproval” in section catchline.

Subsec. (b). Pub. L. 98-614, § 3(d)(1), substituted “passed or rejected” for “agreed to or disagreed to”.

Subsec. (c). Pub. L. 98-614, § 3(d)(2), substituted “final passage” for “final approval”.

Subsec. (e). Pub. L. 98-614, § 3(e)(1), added subsec. (e). 1977—Pub. L. 95-17 inserted “; vote on final disapproval” after “debate” in section catchline.

Subsec. (a). Pub. L. 95-17 inserted provisions that a motion to discharge a committee is not subject to a motion to postpone or to a motion to proceed to the consideration of other business and that if a motion to proceed to the consideration of the resolution is agreed to, the resolution shall remain the unfinished business of the respective House until disposed of.

Subsec. (b). Pub. L. 95-17 inserted provisions that a motion to postpone or a motion to proceed to the consideration of other business is not in order.

Subsec. (c). Pub. L. 95-17 added subsec. (c).

Subsec. (d). Pub. L. 95-17 added subsec. (d) which provisions were formerly set out in section 913(b) of this title.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 908, 909 of this title; title 22 section 2587; title 42 section 2941.

### [§ 913. Omitted]

#### CODIFICATION

Section, Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 398, providing for decision without debate with respect to motions to postpone, motions to proceed to the consideration of other business, and appeals from decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, was omitted in the general amendment of this chapter by Pub. L. 95-17, § 2, Apr. 6, 1977, 91 Stat. 29. See section 912 of this title.

## PART II—CIVIL SERVICE FUNCTIONS AND RESPONSIBILITIES

Chap.		Sec.
<b>11.</b>	<b>Office of Personnel Management ....</b>	<b>1101</b>
<b>12.</b>	<b>Merit Systems Protection Board, Office of Special Counsel, and Employee Right of Action .....</b>	<b>1201</b>
<b>13.</b>	<b>Special Authority .....</b>	<b>1301</b>
<b>15.</b>	<b>Political Activity of Certain State and Local Employees .....</b>	<b>1501</b>

#### AMENDMENTS

1992—Pub. L. 102-378, § 2(1), Oct. 2, 1992, 106 Stat. 1346, substituted “Employee” for “Individual” in item for chapter 12.

1989—Pub. L. 101-12, § 3(b)(1), Apr. 10, 1989, 103 Stat. 31, substituted “, Office of Special Counsel, and Individual Right of Action” for “and Special Counsel” in item for chapter 12.

1978—Pub. L. 95-454, title II, § 201(c)(1), Oct. 13, 1978, 92 Stat. 1121, substituted “CIVIL SERVICE FUNCTIONS AND RESPONSIBILITIES” for “THE UNITED STATES CIVIL SERVICE COMMISSION” in heading for Part II.

Pub. L. 95-454, title II, §201(c)(2), Oct. 13, 1978, 92 Stat. 1121, substituted “Office of Personnel Management” for “Organization” in item for chapter 11.

Pub. L. 95-454, title II, §202(d), Oct. 13, 1978, 92 Stat. 1131, added item for chapter 12.

## CHAPTER 11—OFFICE OF PERSONNEL MANAGEMENT

Sec.	
1101.	Office of Personnel Management.
1102.	Director; Deputy Director; Associate Directors.
1103.	Functions of the Director.
1104.	Delegation of authority for personnel management.
1105.	Administrative procedure.

### AMENDMENTS

1978—Pub. L. 95-454, title II, §201(a), Oct. 13, 1978, 92 Stat. 1119, substituted in chapter heading “OFFICE OF PERSONNEL MANAGEMENT” for “ORGANIZATION”, in item 1101 “Office of Personnel Management” for “Appointment of Commissioners”, in item 1102 “Director; Deputy Director; Associate Directors” for “Term of office; filling vacancies; removal”, in item 1103 “Functions of the Director” for “Chairman; Vice Chairman; Executive Director”, in item 1104 “Delegation of authority for personnel management” for “Functions of Chairman”, and in item 1105 “Administrative procedure” for “Boards of examiners”.

### § 1101. Office of Personnel Management

The Office of Personnel Management is an independent establishment in the executive branch. The Office shall have an official seal, which shall be judicially noticed, and shall have its principal office in the District of Columbia, and may have field offices in other appropriate locations.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 398; Pub. L. 95-454, title II, §201(a), Oct. 13, 1978, 92 Stat. 1119.)

### HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 632 (1st par.).	Jan. 16, 1883, ch. 27, §1 (1st par.), 22 Stat. 403.

The words “official place under the United States” are changed to “another office or position in the Government” of the “United States” to conform to the present legislative use of “office” and “position”.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

### AMENDMENTS

1978—Pub. L. 95-454 substituted “Office of Personnel Management” for “Appointment of Commissioners” in section catchline, and in text provisions relating to the establishment, etc., of the Office of Personnel Management for provisions relating to the appointment of members to the United States Civil Service Commission.

### EFFECTIVE DATE OF 1978 AMENDMENT

Section 907 of Pub. L. 95-454 provided that: “Except as otherwise expressly provided in this Act, the provisions of this Act [see Tables for classification] shall take effect 90 days after the date of the enactment of this Act [Oct. 13, 1978].”

### SHORT TITLE OF 1992 AMENDMENT

Pub. L. 102-378, §1(a), Oct. 2, 1992, 106 Stat. 1346, provided that: “This Act [see Tables for classification]

may be cited as the ‘Technical and Miscellaneous Civil Service Amendments Act of 1992’.”

### SHORT TITLE OF 1984 AMENDMENT

Pub. L. 98-224, §1, Mar. 2, 1984, 98 Stat. 47, provided that: “This Act [amending sections 1304, 3323, 4108, 4109, 7104, and 7122 of this title] may be cited as the ‘Civil Service Miscellaneous Amendments Act of 1983’.”

### SHORT TITLE OF 1978 AMENDMENT

Section 1 of Pub. L. 95-454 provided that: “This Act [see Tables for classification] may be cited as the ‘Civil Service Reform Act of 1978’.”

### COMBINED FEDERAL CAMPAIGN BROCHURE LIST AND GENERAL DESIGNATION OPTION FOR INTERNATIONAL AGENCIES

Pub. L. 102-393, title V, §532, Oct. 6, 1992, 106 Stat. 1763, provided that: “Notwithstanding any other provision of law, beginning October 1, 1992, and thereafter, no funds made available to the Office of Personnel Management may be used to prepare, promulgate, or implement any rules or regulations relating to the Combined Federal Campaign unless such rules or regulations include a Combined Federal Campaign brochure list and general designation option solely for international agencies, which list (listed by Federation in the case of affiliated agencies) and option shall include only those international agencies that elect in their annual application to be included under such list and option rather than under the national agencies list and option: *Provided*, That such limitation on the use of funds shall not apply to any activities related to the 1992 Combined Federal Campaign.”

### REPORT ON PRODUCTIVITY OF FEDERAL WORKFORCE; DEADLINE

Pub. L. 101-509, title V, §535, Nov. 5, 1990, 104 Stat. 1470, directed Office of Personnel Management to review and report to Congress, not later than 24 months after Nov. 5, 1990, on the productivity of the Federal workforce, such report to include recommendations with regard to (1) how productivity within the Federal workforce can be increased, the delivery of Government services improved, and the payroll costs of Government controlled through improved organization, training, advanced technology, and modern management practices, (2) the size, structure, and composition of the Federal workforce, (3) criteria for use by departments and agencies to determine the level of personnel necessary to accomplish their functions and goals, and (4) changes in Federal law, regulations, and administrative practices to promote economy, productivity, effectiveness, and managerial accountability within the Federal workforce.

### FUNDS FOR PREPARATION, PROMULGATION, OR IMPLEMENTATION OF REGULATIONS RELATING TO COMBINED FEDERAL CAMPAIGN; ELIGIBILITY CRITERIA

Pub. L. 100-202, §101(m) [title VI, §618], Dec. 22, 1987, 101 Stat. 1329-390, 1329-423, provided that:

“(a) None of the funds appropriated by this Act, or any other Act in this or any fiscal year hereafter, may be used in preparing, promulgating, or implementing any regulations relating to the Combined Federal Campaign if such regulations are not in conformance with subsection (b).

“(b)(1)(A) Any requirements for eligibility to receive contributions through the Combined Federal Campaign shall not, to the extent that such requirements relate to litigation, public-policy advocacy, or attempting to influence legislation, be any more restrictive than any requirements established with respect to those subject matters under section 501(c)(3) or 501(h) of the Internal Revenue Code of 1986 [26 U.S.C. 501(c)(3), (h)].

“(B) Any requirements for eligibility to receive contributions through the Combined Federal Campaign shall, to the extent that such requirements relate to any subject matter other than one referred to in sub-